

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF PENNSYLVANIA**

BARTLEY M. MULLEN, JR., individually and  
on behalf of all others similarly situated,

Plaintiff,

v.

APPLE AMERICAN GROUP LLC;  
APPLE PENNSYLVANIA LLC,

Defendants.

Case No. 2:19-cv-00996-MJH

**STIPULATION OF DISMISSAL**

Plaintiff Bartley M. Mullen, Jr. and Defendants Apple American Group LLC and Apple Pennsylvania LLC, by and through their undersigned counsel and pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), hereby stipulate that:

1. This action shall be DISMISSED with prejudice as between Plaintiff and Defendants;
2. Plaintiff's motion for class certification was withdrawn on August 29, 2021, and no class has been certified in this action. Therefore, neither class notice nor court approval of this dismissal is required under the Federal Rules; and
3. Each party shall bear its own costs and fees, including attorneys' fees, incurred in connection with this action.

Dated: January 26, 2022

/s/ Nicholas A. Colella

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Respectfully submitted,

/s/ Jennifer S. Rusie

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